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THE GREAT SYNOD.

I.

THE name of the Great Synod (*כָּנַסְתָּה הַגְּדוֹלָה*) shines forth like a morning star in the grey dawn of the rise of post-Biblical Judaism. Round the name were grouped in olden times acts and effects of varied description, whilst it is accompanied in modern times by doubts and questions in great numbers.

The problem afforded by it has been put in a sharp light by Leopold Löw¹. It consists chiefly of two difficulties : (1) According to Talmudical information, it is not only the last prophets (Haggai, Zechariah, and Malachi) who belonged to the Great Synod, but also Simeon the Pious, who formed the first link in the series of the generations of the Tannaïtes. This Simeon is reported to have been a contemporary of Alexander the Great. But a period of almost two centuries intervenes between Haggai, who flourished in the second year of Darius the Persian, and Alexander the Great ; how, then, is the contemporary activity of Haggai and Simeon to be explained ? It is chronologically impossible. (2) It is an anachronism, which has been frequently noticed, when e.g. the Targum to Cant. vii. 3 mentions that Ezra presided in the Great Synod, of which Zerubbabel and Mordechai were members, Ezra having been fifty years younger than the latter.

In addition to these chronological difficulties, there is also the remarkable circumstance that the Greek sources know nothing of a body endowed with supreme authority,

¹ *Die grosse Synode* (written 1858), *Gesammelte Schriften*, I, 399–449.

and meeting in Jerusalem. This would be of no importance for the Persian time, for there are not many sources worth speaking of, and certainly no contemporary Greek sources, that bear upon that period.

But even for the Greek period itself, a Jewish organized authority is first mentioned under Antiochus the Great (223-187)¹, i.e. more than a century after Alexander. And even then it is not mentioned under its Talmudic name (*συναγωγὴ μεγάλη*), but as a *γερουσία*=Council of Elders. The expression *γερουσία* denotes idiomatically always an aristocratic Senate, and it is for this reason that Schürer inclines to the assumption that a *γερουσία* existed in Jerusalem during the Persian period, because democratical constitutions were evolved only in Hellenistic towns. We do not consider this inference conclusive, for, in the first place, there can be no question in Judaism of an aristocratic and democratic party in the way such existed in the Greek commonwealths; and secondly, it is possible that the designation of *γερουσία* had its origin in the Hebrew expression *סְנָצָר*, which was of common use among the Jews ever since Biblical times². Schürer is himself at pains to prove (p. 147) that the word *συνέδριον* had in Jerusalem a meaning different from the one attached to the same word in other Greek circles; in the same way a *γερουσία* in Jerusalem might have denoted, in contrast to the idiomatic usage of the word in other circles, a democratic Senate. If it be correct that a certain word may partly have been used among the Jews in a sense different from that in which the Greeks used it, there is no reason why the *γερουσία*, attested to by Josephus, should not have been

¹ Josephus, *Ant.*, XIII, 3, 3. V. Schürer, *Geschichte des Jüdischen Volkes im Zeitalter Jesu Christi*, II, 145; also 1 Macc. xii. 6, ἡ γερουσία τῶν ἔθνους under Jonathan, in the epistle to Sparta. Cf. also 2 Macc. i. 10; ibid. iv. 44; in 3 Macc. i. 8, *γερουσία* and *πρεσβύτεροι* occur. According to *Ant.*, XI, 8, 5, Samaritans who had fled before the Sanhedrin in Jerusalem, appear before Alexander the Great to bring forth their complaints.

² Schürer, p. 145, n. 456, argues that ἡ *γερουσία* and *οἱ πρεσβύτεροι* are identical terms.

the Great Synod. In that case, a written Greek testimony would be disclosed for the real existence of the Great Synod. But Hecataeus of Abdera (in Photius, Cod. 244)¹ also writes that the high-priest of the Jews was assisted by an ἐκκλησία (=תָּמִיסָה):—κατὰ τῆς ἐκκλησίας . . . φησὶν ἐκφέρειν τὰ παραγγελλόμενα—and this refers to the Persian period. If we further consider that the συναγωγὴ μεγάλη, mentioned in 1 Macc. xiv. 28, is unmistakably the תָּמִיסָה of the Talmudic authorities, there can no longer be a question of the silence of the Greek sources; the latter rather testify to the historical existence of the Great Synod. Josephus uses very frequently the expression βουλή (*Bell. Jud.*, II, 15, 6; II, 16, 2; II, 17, 1) by the side of συνέδριον, when speaking of the time when the supreme authority bore already the latter name; this shows that it is rather a question of the thing denoted than of the mere name.

The material grounds, which enforce the admission of a supreme constitutive authority in Jerusalem, have been collected by Derenbourg, *Essai sur l'histoire et la géographie de la Palestine*, pp. 29–40. We see that the Jews at the time of Nehemiah were ignorant, and without knowledge of the Law. After the lapse of scarcely two hundred years, during the struggles of the Maccabaeans, we see them occupying a high standard in the knowledge of God, which they are not prepared to forsake at any price. This can only be understood if, during that period, the laws were studied, commented upon, and taught. No high-priests of the class of Joiakim and Eliashib at the time of Ezra, or of Alcimus and Menelaus of the Greek period, would have been able to produce such a signal change in the life of the people. Quite a different class of men must have been at work, who executed and spread the divine teachings with the whole force of religious conviction. Such men were, according to Talmudical information, the men of the Great Synod.

Again, I am of opinion that historical continuity demands

¹ Th. Reinach, *Fontes rerum Judaicarum*, p. 17.

also that no great period of time devoid of historical life can be imagined. Eliminate the Great Synod, and the period between 433 and 333, from the later activity of Nehemiah till Alexander the Great, would be simply without history; for historical events find their historical recorders, and an absence of historical records would lead to the assumption that nothing worth recording had happened. Can such a thing be imagined? Has a century flown on in the life of a people without its having produced anything worthy of preserving for posterity? To assume that the Talmudical sources wanted to fill such gap in the historical life by the fiction of the Great Synod is to misunderstand the character of these sources; for nothing is more remote from them than the construction of a pragmatic history, even in cases of real facts. Since, therefore, no tendency of the kind can be attributed to the Talmudical information, the doubts as to the truth of these reports are entirely without foundation.

Since everything speaks in favour of, and nothing against, the historical existence of the Great Synod, a veritably scientific method cannot reject the Talmudical reports as untenable; but must rather be at pains to explain the difficulties that present themselves. Besides the chronological difficulties already alluded to, the question must further be asked, Why the Great Synod ceased to exist? No reason is given in Talmudical literature. The time of its becoming defunct can be fixed with more or less accuracy by fixing the time of the last member of this body, Simeon the Just. But here a new difficulty arises, which is itself a part of our problem. Which Simeon is meant here; the first, the second, or even the third of that name? For three high-priests of the name of Simeon are known after Nehemiah. But this question has been raised only by modern historiography; for tradition gives us here also information, by calling the last member of the Synod Simeon the Just, a contemporary of Alexander the Great, who is said to have shown him marks of high

veneration before the gates of Jerusalem. The same tradition which communicates to us the existence of the Great Synod, informs us also about the personality of Simeon, and it will be advisable to take notice of the hints tradition gives us, and to follow in its traces on entering upon the path of investigation.

Having obtained in this way a tolerably clear notion of the duration of the Great Synod, we only found the limit *ad quem*, but by no means *a quo*. No date has been anywhere given of the commencement of the Great Synod. The Mishnah (*Aboth*, I, 1) only says that the prophets delivered the Law to the men of the Great Synod, but does not say which prophets. The last prophets were, according to traditional notions, Haggai, Zechariah, and Malachi¹; they lived at the time of the second temple, and this is the point of importance to the fixing of the date. It is said expressly in *Aboth di R. Nathan*, a work that can be most properly considered as a commentary to the *Mishnah Aboth*: “The prophets received (the Law) from the Judges Haggai, Zechariah, and Malachi received from the prophets, and the men of the Great Synod received from Haggai, Zechariah, and Malachi².” But, is it probable that a supreme authoritative body had constituted itself already at that time? Can we attribute an existence of two hundred years to the Great Synod, out of all whose members only one name has come down to us? No satisfactory solution of our problem can be arrived at, without a conclusive answer to this question also.

The Great Synod numbered one hundred and twenty members according to the Babylonian Talmud (*Megilla*, 17 b), and eighty members according to the Jerusalemitic Talmud

¹ משמו נביאים האחרונים חגי זכריה ומלאכי נסתלקה וזה הקרש מישראל, b. *Joma*, 9 a, and parallel passages.

² Version I, p. 2, ed. Schechter. L. Löw, l. c., writes, p. 400: “The older Rabbinical chronologers consider the latest prophets of the Canon of the Bible . . . to have been members of the Great Synod.” We meet with this notion already in *Aboth di R. Nathan*.

(*Megilla*, 70d). This is a very remarkable difference. Is it possible that a body of such importance, and which formed a direct succession to the prophets, and had, according to tradition, also prophets among its members, should have left such a faint remembrance to posterity, that it was not even known of how many persons it was composed? This question is also a part of our problem.

The data which we possess as to the functions and the scope of activity of the Great Synod also require to be considered. Occasional and sporadic references in Rabbinical literature teach us that we must look upon the men of the Great Synod as the reorganizers of Judaism on the return of the Jews from their exile. Everything that gave the later Judaism its peculiar character, everything that was cherished by that Judaism, was referred to the Great Synod. That body was believed to have collected and arranged the holy writings, to have enjoined the public recital of Holy Writ, to have composed regular prayers, to have laid the foundation of the Liturgy, and to have inaugurated the method which led, in the course of time, to the great Talmudical science. Now it is remarkable that a part of these institutions is otherwise attributed to the scribes (*סופרים*). Is there, or is there not, a difference between scribes and men of the Great Synod? And, if yes, what are these differences¹?

From the halo with which the Great Synod is surrounded we might have expected that the supreme political authority was also vested in that body, and that it represented Judaism abroad at the Persian court. But tradition makes

¹ J. H. Weiss, *דו"ר רוח ורוחש* (Vienna, 1871), I, 55, asserts that the scribes decided the questions theoretically, but that the tribunal gave practical effect to such decisions, the term *חיקם*, applied to the *נכתת הגרולה*, never being used in reference to the *סופרים*. This opinion does not accord with the spirit of the tradition, for the latter attributes the initiative, consequently, the theory also, to the Great Synod, in which the whole erudition of the Judaism of the time was said to be concentrated. Besides, we often meet with the expression *עוזר סופרים*, although in a sense different from *חיקם*, a term which occurs frequently.

no mention of this. It is true, our traditional sources attach more importance to a complicated question of Halacha, than to the most important political question ; nevertheless, it might have been expected that some trace at least would have been preserved of the political power of the Synod. If, however, the Great Synod was the highest authority of the people in its political life—and it is probable that this was the case—the difficulty presents itself, that in the authenticated records, from the time of the Maccabean wars, a high-priest only stood at the head of the Commonwealth, who, it is true, might have been, and probably was really, assisted by a council endowed with consultative powers, but it is more than questionable, or rather almost impossible, that this council could have been the Great Synod.

Having thus given the outlines of our problem, we proceed to consider the attempts at its solution.

II.

The most convenient solution of the problem is the one given by the Christian scholars. They reject the whole Talmudical tradition about it, and consider the Great Synod simply as a fiction. The reason why Christian scholars occupied themselves with the question lies in the fact that the tradition ascribes to the men of the Great Synod an important share in fixing the Canon of the Bible. The question is therefore, in a sense, a part of "The Introduction to the Bible." One of the first Biblical critics, Richard Simon, threw already doubts upon everything which tradition reported about the Great Synod¹. His example was followed by many other Christian scholars,

¹ The older Christian critics are quoted by L. Löw, l. c., p. 403. Of the more modern critics, we mention Kuenen (in the *Verslagen en Mededeelingen der Koninklijke Akademie, Letterkunde X*, cited by D. Hoffmann, in the *Magazin für die Wissenschaft des Judenthums*, V, 95); Wellhausen, *Die Pharisäer und Sadducäer*, p. 26. Ewald, on the other hand, declares the Synod to have been historical, *Geschichte des Volkes Israel*, 2nd ed., IV, 190.

but recently a cooler and more sober criticism has begun to prevail in these circles also, and people have commenced to perceive that information given in so decisive a manner in the Talmudical sources—which are after all the most competent on such questions—cannot be relegated to the realms of legend.

From the Jewish side, the existence of the Great Synod has never been seriously doubted¹. As to the chronological difficulties, they were believed to be disposed of by not assigning to the Great Synod a too narrowly limited period, but by assuming that it spread over a time during which its members always changed, and the Synod constantly supplemented by co-optation the number of its members in case of death. Such system of supplementing is undoubtedly in harmony with the conditions of a great corporation, and appeals to our imagination. In this way, the Great Synod may have existed already at the time of Ezra and Nehemiah, and may have commenced even earlier, at the time of the later prophets; and it may have continued to exist till the Macedonian time, about which time Simeon the Just was the sole survivor. This theory of a supplementing of members, which was first put forward by Azariah de Rossi (*מאור ענין*, c. 37, ed. Wilna, 1863, p. 38), disposes in the main of the chronological difficulties. But if de Rossi objects to his own theory that it was not in accordance with the Talmudical references, because according to the opinions of the sages all members of the Great Synod lived at one and the same time (*ibid.*, c. 37), the answer is, that such opinion is nowhere expressly stated in the Talmud. It is true the Talmud does not mention

¹ Grätz, *Geschichte der Juden*, II, 1st edition, p. 178, speaks doubtfully of the Great Synod, and he refers everything which is said about it in the Talmud to the assemblies held under Nehemiah (ch. x). Herzfeld, *Geschichte des Volkes Israel*, 2nd edition, Leipzig, 1863, devotes an *Excursus* to the thorough investigation of the question, and acknowledges the existence of the Synod only in as far as he considers it to have been identical with the Sanhedrin (= *סנהדרי גוילא*, p. 387). Vid. also Geiger, *Urschrift*, pp. 116, 144, 398.

any supplementing of members, but the contrary is not stated either. The only difficulty is presented by the well-known saying of R. Jose in *Seder Olam Rabba*, c. 30, that the Persian empire endured at the time of the temple (*בפני הבית*) for thirty-four years; but the same source produces, a little before, an anonymous statement that "all the years of the kings of Media and Persia amounted to 250." If we assume, according to recent investigations, the regeneration of the Median empire under Phraortes and Cyaxares to have taken place about 620, we obtain, after deducting 250, the year 370 as the end of the empire of the Medes. The error of the Talmudical sources seems to lie only in this, that the dates of the Persians were not separately given¹. The reference alluded to being anonymous, we are justified in considering it as an ancient tradition, and in that case it is possible that it is essentially correct, though faulty in its details. Those 250 years may, therefore, refer to the Persian dominion only. Ecbatana was conquered by Cyrus in 550, which year marks the end of the Median and the beginning of the Persian rule; deduct 250, and we obtain the figure 300. This figure differs from 332, the year in which the Jews submitted to Alexander the Great, by thirty-two years only, and it is in this connexion that the thirty-four years as given by R. Jose must be accounted for². Perhaps

¹ The Talmudical records often mention four principal empires (*רבנן*, *ארומן*, *ערין*, *סורין*), and Persia is evidently often included in Media, e. g. *Pesikta di R. Kahana*, p. 40 b, ed. Buber (*Pesikta Rabbathai*, p. 65 a, ed. Friedmann), *Leviticus Rabba*, c. 15, 9 (*Tanchuma*, *תורת עירין*, 11). R. Jose's reference is quoted also in Babli, *Aboda Zara*, 9 a. It is said in the course of the discussion: *ונגירניא זאברהן בההוא שעריא בר נ'ג' דוהה*. It is evident that dates like these used to be traditional.

² *Aboda Zara*, 10 a, quotes in the name of R. Jose the correct observation that only six of the twelve years of Alexander's reign belong to Elam (i. e. the Persian kingdom). (Vid. on the meaning of this passage, Babli, *בבון*, c. 26, p. 7'ק.) It is impossible to assume that a man who was so punctilious about the years, should have assigned thirty-four years instead of one hundred and fifty to the Persian dominion during the temple. R. Jose being concerned with a correct reference as to the years

R. Jose wished to explain why the time of the Persians was fixed at 250, i. e. at thirty-four years longer than it really was; for immediately after we read that in the diaspora the *aera contractuum* was written after the manner of the Greeks. He seems to imply that hitherto the Persian era had been in use, which, in this way, really lasted for 250 years, but not properly so during the last thirty-four years. But we do not want to lay too much stress upon this explanation, which would, moreover, require further elucidation ; we repeat, however, that the assumption of the Median and Persian rule having lasted 250 years makes it impossible to think the Rabbis had concentrated the Persian-Jewish epoch within the duration of one generation only¹. Besides, the notion that the Great Synod comprised only one generation is by no means in agreement with the words of the Mishnah. If it is said that the elders delivered the oral Law to the prophets, it certainly means to several generations of the prophets as they succeeded each other. In the same way, the sentence immediately following, that the last prophets delivered the oral Law to the men of the Great Synod, means also to such as succeeded each other during several generations. It must only be understood that the Mishnah does not produce the chain of the generations, but the successive epochs. Such enumerations, in which only the principal links in the chain are mentioned, are not new in Jewish literature ; they occur plentifully in Holy Writ, and at a later time the same sort of genealogy occurs at the beginning of the Gospels².

during which the Persian and Macedonian kingdoms *co-existed*, the reference of thirty-four years must relate somehow or other to the years during which the Persian and Greek governments, were, so to say, fighting, at least in reference to the era.

¹ This was particularly maintained by Azariah de Rossi, but L. Löw says the same (l. c., p. 401).

² The method of omitting intermediary links is, in Rabbinical writings, so common that every reader should be accustomed to it. We shall, infra, refer to two instances, in which Halachic sentences are produced

If the traditional chain, as given in the Mishnah, is not consecutive, another difficulty is also disposed of, namely, that in the Mishnah only few generations are allotted to a considerable period of time. For the generations follow each other thus :

1. Simeon the Just.
2. Antigonos of Sokō¹.
3. Jose ben Joëzer and Jose ben Johanan.
4. Joshuah ben Perachiah and Nitthai of Arbel.
5. Judah ben Tabbai and Simeon ben Shatach.
6. Shemaiah and Abtalion.
7. Hillel and Shammai.

Simeon the Just—if Simeon I be meant—died in 292. From that time till Hillel there are six generations. Counting thirty years for a generation, we obtain 180 years; deduct this amount from 292, and we obtain for Hillel the figure 112. But this cannot possibly be correct; for according to the best of our knowledge, and according to other certain data, Hillel must have lived at least a hundred years later. We are, therefore, bound to assume that the traditional chain, as given in the Mishnah, is not a consecutive, but an interrupted one. This we must needs

in the name of Haggai, the prophet, a circumstance which would be impossible without the supposition of intermediary references. The traditional series in Mishnah, *Peah*, II, 6, is as follows : אמר נחום הלבר קובל מיאשה שכבל מראה שכבלי בן הנביאים הילנה למשה מסני — אמי טר' מיאשה שכבל מראה שכבלי בן הנביאים הילנה למשה מסני all events, Simeon, the Just, is omitted here between the "Pairs" and the "Prophets." Cf. also *Babli Nazir*, 56 b. In Jerome even (*Ep. ad Algasiam*, c. 10, iv, 207, ed. Martianay) we find the following series in the name of the Jews: R. Akiba in the name of R. Simeon, in the name of Hillel (cf. JEWISH QUARTERLY REVIEW, V, 146). One or two links are missing here between Simeon and Hillel. Zunz observes a large gap in the genealogy in *Seder Olam Zuta*, l. c., p. 145. In the first verse of the Gospel of Matthew it is said: "Jesus, the son of David, the son of Abraham."

¹ Although the correct reading in *Abot*, I, 4, is קובל מהם, it would be erroneous to infer from this that Simeon and Antigonos must have been contemporaries. The expression only means that the two Joses referred the tradition, beyond Antigonos, back to Simeon.

assume, even without regard to the Great Synod; there is, therefore, no reason why this explanation should not be applied in reference to the Great Synod also.

The discontinuity observable in the Mishnah induced the scholars always to proceed downwards in their attempts to fix the dates; that is to say, they assumed, for the purpose of showing that the period between Simeon and Hillel was very short indeed, that the last member of the Great Synod was not Simeon I, but a younger Simeon, either Simeon II or III. Instead of simply recording the discontinuity, which was the only correct thing to do, they contradicted the tradition, and introduced altogether different persons into the series. Krochmal¹ and Zunz² decided for Simeon II, Löw³ for Simeon III. But this

¹ מורה נבוכים ה'זט, 2nd ed. (Lemberg, 1863), p. 89. His proofs are not conclusive. The fact, that Simeon's disciple, Antigonus, had a Greek name, does not prove that they were already well advanced in the Greek period, for Greek names were common immediately after Alexander's death. Moreover, it appears to me that the name Antigonus was chosen in honour of the *Diadochos* Antigonus. This would also give a starting-point for the time of Simeon. The sects of the Pharisees and Sadducees have only a legendary connexion with the name of Antigonus, and need not have arisen before the age of the Maccabees. That Jose ben Joezer was a disciple of Simeon follows only from the reading בָנֵי זְהָם—which reading, it is true, is sufficiently attested to—but he may have really lived later. Vid. the preceding note. The proof for Hillel's age is disposed of by our assumption that the Mishnah does not wish to produce a continuous series. The same argument can also be applied in reference to the series: Simeon, Antigonus, and Jose ben Joezer; they also may have been separated by long intervals. I further observe, that the same proofs are reproduced in the note to p. 95; this repetition is the fault of the bad edition.

² *Gottesdienstliche Vorträge*, 2nd ed., p. 35. But it is not clearly expressed that Simeon II is meant. Vid., however, Löw, l. c., p. 405, Derenbourg, l. c., p. 51, also decides for Simeon II.

³ l. c., p. 411. I believe that Löw's proofs are not conclusive either. The question as to the particular merits of Simeon is put by Löw only in reference to Simeon II. As to Simeon I, we are not at a loss to find accounts of his particular merits, considering that he was called δίκαιος by Josephus (*Ant.*, XI, 2, 4), and that so much praise was bestowed on him by Sirach (L, 1-24). The question about the harmony of the chronological data is also disposed of, if our theory

makes the matter still more difficult, for the lower we descend in chronology, the less explicable it becomes why the Greek sources report so little of that body. In the measure that the chain is drawn together at the lower end, it is loosened and torn asunder at the other end. This again shows that it is most advisable, in the case of an incident reported by the tradition, to adhere to the tradition. If we assume the historical existence of the Great Synod on the ground of tradition, the same authority must retain its right in reference to the person of Simeon also.

A scholar of great acumen has already observed, that the designation of "the Just" (*הצדיק* = δίκαιος) was only used of princely personages¹. John Hyrkanus and Alexander Jannaeus are rivals for the title δίκαιος, according to Josephus, *Ant.*, XIII, 10, 5, and *ibid.*, XIII, 16, 1. This shows conclusively that the Simeon who bore the title of "the Just," although not himself a prince, was yet a man who possessed princely authority; this could only have been during the Persian period, when the Jewish high priests were the chiefs of the community. And indeed, Simeon appears as the supreme political dignitary in the report of his meeting with Alexander the Great². In this way an essential point is gained about the historical truth of that meeting³. It is known that it was a question of frustrating the designs of the Samaritans, who desired from Alexander the destruction of the temple in Jerusalem⁴. The wishes of the Samaritans did not perhaps go so far as

about the discontinuity of the genealogy be adopted. The reference in *Juchasin* (ed. London), 11 a, is remarkable: שמעון הצדיק כ"ג בימי צורא. I think that this reference only intends to give approximately the age in which Simeon lived, but does not mean to imply that he was a contemporary of Ezra.

¹ Geiger, *Nachgelassene Schriften*, IV, 286.

² *Megillath Taanith*, c. 9, in the *Scholion* (p. 14, ed. Neubauer). Cf. *Pesikta*, ed. Buber, p. 41 a, and *P. Rabbathi*, c. 14, p. 65 a, ed. Friedmann.

³ Vid. also the fourteenth *Excursus* of Herzfeld, l. c., p. 404.

⁴ יומם שבקשנו הנוצרים אה בית אלחינו מלכטנורום . . . להחריב.

the destruction of the temple ; they desired, perhaps, only its defilement by the substitution of their own religious services there. All other legends, which attribute to Simeon the frustration of the introduction of other modes of worship in the temple of Jerusalem¹, may contain a substratum of truth, and be capable of being explained in this way. Competent historians have declared Alexander's expedition to Jerusalem to be an historical event ; there is nothing strange, therefore, in the fact that the high priest for the time being should have had an interview with the king. The Rabbinical sources record such an event of Simeon ; no one else can, therefore, be meant except Simeon I. The statement is contradicted by the information as given by Josephus (*Ant.*, XI, 8, 3-6), who says that the high priest, for the time being, was Jadduah. The Rabbinical reference would, by this version, be relegated to the realm of legends. I am, however, of opinion that the two statements are not altogether irreconcilable. Simeon I was, according to Josephus (*Ant.*, XII, 2, 5), the son of Onias I, or the grandson of Jadduah. If we suppose that Jadduah was, at the time of Alexander's expedition to Jerusalem, too old, or in any other way incapacitated to receive the great king, it is not impossible for his grandson Simeon to have been chosen for the task². We point to the event that happened about

¹ *Tosefta Sotah*, XIII, 5 ; *Jerus. Sotah*, 24 b ; *Babli Sotah*, 33 a ; *Megillath Taanith*, c. 11 (p. 17, ed. Neubauer), and *Canticum Rabba*, VIII, 10. Everywhere שׁעירה = worship. The continuation, which names the Roman emperor סקילגא, which word is considered to mean Caius Caligula, is distinguished from the nucleus of the report, if only by the fact that it is written in Hebrew and not in Aramaic. The legend avers, that an attempt was made at the time of Alexander the Great to erect an idol in the temple of Jerusalem (Gorionides), or in Samaria (Samaritan *Joshuah*, c. 46, vid. Herzfeld, 1. c.), and this event was confounded with the events that took place under Caligula.

² Alexander, in *Megillath Taanith*, c. 9, says : (וְיָהִי רֹאָה רַאֲתָה) ; in the two passages of the *Pesikta* also, quoted before, he is not called זָקֵן either, however suitable such expression would have been for the embellishment of the legend. For a similar conjecture, vid. *c. 37*, p. 40.

a century after, when the youthful nephew of Onias II, Joseph, the son of Tobias, who was to become so famous at a later time, was mediating before Ptolemy Euergetes between the Jews and the king¹. The brilliant parts of Simeon must have been evident when he was still quite young, and the reason becomes all the more evident why he was glorified so much by subsequent legends. Legends are not, as a rule, mistaken in the persons of their heroes, however small a memory they may possess in reference to single actions. The truth may thus be on the side of the Rabbinical sources, who say of Simeon what Josephus says of Jaddua, for the only reason, perhaps, that the latter was high priest at the time².

Another report, also preserved in the Talmud, becomes clear, if we attribute historical truth to the narrative that Simeon saved the Jews from a real peril³. That passage cannot possibly allude to Simeon III, as Löw opines, for the latter could not have been mentioned before Matitjahu ben Jochanan. No more can Simeon II have been meant, because at his time the Jews were

¹ Josephus, *Ant.*, XII, 4, 1-III.

² It is interesting to observe the way in which later Jewish authors attempted to explain away the discrepancy between Josephus and the Talmudical references. The Talmud says of Simeon כהב יוחסן . . . שמי סדר הדורות says of Simeon גן יהושע בן יהוץק, אכן נראה זה ביסיפון (c. 5, p. 28, Warsaw, 1877). Isaac Lattes also in *שער צין*, ed. Buber, p. 4, calls Simeon יהושע. The *Mabor Urim*, c. 37, p. 42, says about this satirically: ובר כתבתו . . . על אשר נללו הוברים לנו שמעון הצורק בחנינה וצור ושבע שמתה ניזנו. Cf. *ibid.*, c. 36, p. 36, the allegations from Abraham ibn Daud and Abrabanel.

³ The passage must be corrected according to the proper readings of the MSS. and older editions (*Dikduke Sopherim*, *Megilla* : נא במחנהria התא) : לא מאסחים בימי נסויים שחומרותיהם להם זניאל חנניה משאל עורייה. ולא געתהם בימי יוניים שחומרותיהם להם שמעון הצורק ומתריתו בן יהונן כהן גדול. לנלחום בימי המן שחומרותיהם להם מרדכי ואסתר. להפוך בריתם בימי רומיים שחומרותיהם להם של בית רבי והרמ"ן דורות. Rabbinowitz observes correctly that, on the whole, the reading of the printed editions is preferable to that of the MSS. It is strange that the Persian period (Haman) is mentioned after the Greek period. The same applies to the form in which this *dictum* of Samuel's (*ibid.*, a little before) is reproduced.

not exposed to any peril from which they required to be saved¹.

The building of the Onias temple is ascribed by the Rabbinical sources to Onias II, the son of Simeon I². We are told that Simeon the Just had roused jealousies between his sons Onias and Shimei by his testamentary dispositions, which led to the flight of Onias and the building of the temple in Egypt. This is the nucleus of the narrative; R. Meir and R. Judah differ as to the details. According to Josephus, Simeon I was succeeded, first by Eleazar (*Ant.*, XII, 2, 1), and then by Menasseh (*ibid.*, XII, 4, 1) as representatives and guardians of Onias II, and then by Onias II himself. If we are not desirous of establishing an unnecessary discrepancy between Josephus—who is also in accord with the so-called Breviary of Philo—and the Talmud, we must assume that Onias's succession to Simeon, as recorded in the Talmud, was not an immediate one, interrupted, as it was, by the forty-seven years' services of Eleazar and Menasseh. This throws a further light upon the chain of succession as given in the *Mishnah Aboth*. The fact offers us also an instance of the succession in the families of priests not always proceeding in a direct, but sometimes also in an indirect line.

After this digression, the object of which was only to show that tradition can only have meant to allude to Simeon I—which is also confirmed by Josephus—we return to our original subject, the Great Synod. The chronological difficulties connected with the question can be considered as disposed of in the light of the above discussion. The inquiries hitherto made about this subject deal, for the most part, with the solution of these chronological difficulties; but we have already seen that questions of a different

¹ I cannot understand how this passage can possibly be utilized to prove that Simeon II was meant (Skreinka, *Beiträge zur Entwicklungsgeschichte der jüdischen Dogmen*, Vienna, 1864, p. 132).

² *Jerushalmi Joma*, VI, 3 (43 d), and *Babli Menachoth*, 109 b. Josephus's references contradict each other. Vid. Herzfeld, l. c., II, Excurs. 29.

nature are bound up with that of the Great Synod, which do not less merit to be solved—questions about the difference between the men of the Great Synod and the Sopherim ; why the Synod ceased to exist ; how to account for the discrepancies in the records of its members, &c.

These questions, and others of similar nature, will occupy our attention in the following discussion.

III.

We do not take as the starting-point of our inquiry the chronological data that are delivered about the Great Synod, but the functions that are attributed to that assembly. We have to deal with men of action ; it is, therefore, more worthy of them, and also materially more suitable, to start from the actions they performed, for the date of their activity will follow naturally from its character.

On the basis of the data delivered to us, we distinguish in the activity of the men of the Great Synod three directions : their functions embraced the preservation of Holy Writ, the establishing of the Liturgy, and the foundation of the Oral Law.

In reference to Holy Writ, we read in the Talmud (*Babli Baba Bathra*, 15 a) : “The men of the Great Synod wrote Ezekiel, the twelve minor prophets, Daniel, and Esther ; Ezra wrote the book that bears his name, and the genealogical register up to his own time.” Everything is plain here, even to the concluding words¹. Apart from Ezra, Nehemiah, and the books of the Chronicles, which are, for good reasons, ascribed to Ezra, the tradition refers to the Great Synod all those Biblical books² that were written

¹ Rashi explains the words שׁוֹרָא נִתְבַּח סְפָרָיו וַיְהִי שֶׁל רְבָנֵי הַיּוֹם שׁוֹרָא quite correctly, מורה לנו כי המן שׁוֹרָא עצמָו ; vid. also Krochmal, מורה לנו כי המן שׁוֹרָא, p. 94. The whole of the Chronicles is also called ספר ייחוסין, vid. Zunz, I. c., 136, note. Cf. *Leviticus R.*, c. 32, 3, פְּרָשַׁת יְהֹוָשֻׁב.

² The question as to these writings is only in as far as they are constituent parts of the Canon ; in other words, Ezekiel was embodied into the Canon by the men of the Great Synod. This disposes of all the difficulties raised by Rashi, *ad locum*.

since the Babylonian exile : Ezekiel ; on account of Haggai, Zechariah, and Malachi, the twelve minor prophets, which form *one* book, and the book of Esther. The men of the Great Synod are mentioned in the Talmudic relation *before* Ezra ; from this we must infer that the Great Synod was, according to the tradition, not instituted by Ezra and Nehemiah, as many historians aver¹ ; the sense is rather, that it was already in existence at the time of Ezra and Nehemiah. According to the information in *Aboth*, it was, indeed, already in existence since the time of the last prophets ; namely, apart from the wholly unknown Malachi, since the time of Haggai and Zechariah. These two prophets flourished in the second year of the king Darius Hystaspes, i. e. about 520 ; the temple named after Zerubbabel was built at that time ; it is, therefore, only natural that the *Great Synod arose at the same time as the second temple.*

Judaism after the Exile crystallized itself, with the

¹ Thus, for instance, Ewald, *Geschichte des Volkes Israel*, 2nd ed., Göttingen, 1852, IV, 190 : "instituted since the time of Ezra ;" Herzfeld, l. c., I, 22, calls the Great Synod an institution of Ezra's. More correctly, Zunz, *Gottesdienstliche Vorträge*, 2nd ed., p. 35, "that this assembly was assigned to the time of Ezra, and even of Zerubbabel." Krochmal, l. c., will not admit that the Great Synod was advisedly put *before* Ezra, he applies the rule מוקדם ומאוחרן אין. His proof that Jeremiah was named *before* Hezekiah is irrelevant, for Hezekiah, to whom the editing of Isaiah was ascribed, was put *after* Jeremiah, in order to indicate that Isaiah, which also contains Deutero-Isaiah, was, in respect to the time, a later work than Jeremiah. The error that the Great Synod was founded by Ezra, is already found in Maimuni's introduction to the Mishnah. It is for this reason that Maimuni—not in conformity with the Mishnah—says that Simeon the Just had received the Oral Law, not from the prophets, but from Ezra ; cf. also the Introduction to the נרננה ר. It is needless to say that this confusion has its origin in the circumstance that Zerubbabel was considered a contemporary of Ezra, thus e. g. Rashi, in his commentary to *Aboth*, says of Simeon : "He was not, like Ezra, with them at the commencement of the temple." These words imply, however, that even according to Rashi, the Great Synod was founded immediately at the beginning of the second temple—an insight, which has not yet been arrived at by the moderns. The same correct distinction between Zerubbabel and Ezra is also found in Rashi to 1 Chron. v. 41.

building of the second temple, into a new communal existence and a new political life ; the organized situation required at all events an organized authoritative body¹. It is a matter of course that the prophets Haggai and Zechariah belonged to that body ; tradition is also correct in stating that the Great Synod numbered also prophets among its members². The same tradition further avers that the assembly consisted of 120 members ; one point given by the tradition appearing correct, the other will also have to be considered as true. This is in our opinion the only ground why the assembly was called the "Great" Synod, because all other bodies that replaced it in later times had fewer members³. In view of the position occupied by the priests in the young community, it may be assumed *a priori* that the Great Synod consisted for the greater part of priests, and it was probably the latter with whom the prophet Haggai discussed a question of the ritual⁴. It seems that this was the first Halachic discussion, which, it is true, does not deal with the establishment of a rule in the religious law, but only, as the prophet explains immediately after, as an illustrative example.

In Zechariah we also find an Halachic question (vii. 3),

¹ Several authors refer the words in Ezra vii. 25, to the foundation of the Great Synod : vid. the article "Die Präsidentur im Synhedrium," by J. Levy, in the *Monatschrift für Gesch. und Wissenschaft des Judenthums*, IV (1855), p. 267.

² *Babli Megillah*, 17 b : מהו ועשרים זקנים ובهم כמה נביאים היקנו שמונה עשרה ברוכות על הסדר. Although the Great Synod is here not expressly mentioned, yet it is only right to apply the passage as referring to that body. We shall deal afterwards with the term זקנים.

³ It is known that the term גזילה is explained in the Talmud in an Agadic manner, שהחזרו הגורה לישנה (*Jerush. Berach.*, VII, 4, 11 c). It is not, on this account, necessary to read גזלה instead of גזילה (as if it were גנבתה הזרלה), as some think ; for the Agadic interpretation would hold good also if the word is used adjectively. In *Babli Joma*, 69 b, we read שהחזרו עטורה לישנה. For other explanations of the name, vid. Krochmal, l. c., p. 88.

⁴ Haggai ii. 11-13. It is noteworthy that the Targum puts נבישתא for ייְה in verse 14.

directed to "the priests in the house of the Lord of Hosts, and to the prophets." Guided by the tradition¹ we believe we may assert that the question was directed to a whole body of men, composed of priests and prophets ; and among the latter not only the known prophets Haggai and Zechariah, but also others, unknown ones, perhaps a number of them. The tradition is right again in maintaining that the assembly counted *several* prophets among its members². Again, the expression that they were in the house of God, reminds us of the Talmudical notion, that judgments pronounced by the supreme Jewish authority in criminal cases were only valid when the meeting was held in the temple in the so-called hall of hewn stone (*לשכה הטויה*)³. This circumstance also leads to the conjecture that the Great Synod had arisen at the same time as the temple.

That the Great Synod is older than Ezra is also clear from the fact that the public recital of the Torah, which tradition tells us to have been ordained by the Great Synod, is, according to another version, said to have been instituted by the *prophets and elders*⁴. It is particularly to be noted that this sentence is delivered in the name of the oldest interpreters of Scripture, the *דורishi רשותות*. We must dwell a little more at length on this reference, because it is of particular interest for our subject. The few passages

¹ The Targum has ספרא instead of prophets.

² It is known that the tradition knows of many more prophets than are named in Scripture ; vid. *Seder Olam Rabba*, c. 21, י"ח נביאים ניזאי מצרים ולו. It is remarkable how, in this point, the tradition is in touch with Biblical criticism, according to which, pieces like Isa. xxiv are of later anonymous prophets. Judah Ha-Levi, in *Kuzari*, III, 39, 65, assigns forty years to the continuation of prophecy after the exile. He also says, quite correctly, that the men of the Great Synod had already returned with Zerubbabel.

³ Mishnah, *Sanhedrin*, XI, 2; *Middoth*, V, 4, &c.; Schürer, I. c., p. 163, thinks that a hall on the Xystos, and not the hall of hewn stone, was meant. *תנול השאה* (Nehem. iii. 1) is, according to the commentary in ב"ב vii. 27, the house of the Great Synod.

⁴ Mechilta to Exod. xv. 22 (p. 53, ed. Weiss) : ולך והקינו להם הנביאים והוקנים טהורי קורין בטורה בשגה בשתי ובחומר. Cf. also Tanchuma, § 19; Jalkut, Exod. § 255.

in which the **דורשי רשותות** are quoted¹ show at least this much, that these men formed a certain contrast to the men of the Great Synod. This contrast is too great to allow it to be passed over in silence; thus, for instance, if the **דורשי רשותות** maintain that a court of thirty members was required to adjudicate in criminal cases (*Sifré, Numbers*, § 160, and Friedmann's note, p. 62), they are in opposition with the whole Rabbinical tradition. Their opposition to the ancient sentence about the wicked kings is apparent from *Babli Sanhedrin*, 104 b, where the ancient sentence about the wicked kings is ascribed to the men of the Great Synod, with whom the **דורשי רשותות** did not agree². I therefore venture to conjecture that under **דורשי רשותות** must be understood *the allegorical School of Alexandria*. These Hellenists may be believed to have taken their own course in matters of Biblical exegesis, even if the Halacha had to suffer through it. The explanations delivered in their name show to demonstration that their exegesis was really allegorical; we find, therefore, usually an explanation of theirs follow a simple explanation of a verse³. But if the interpretation of Scripture was already at an early date distinct, according to separate schools, the interpretation of Scripture itself is much older still⁴; our opinion that the Great Synod existed since the building of the second temple gains therefore an amount of inner probability. The Talmudical references, according to which the men of the Great Synod taught, acted after the manner of the later scribes, thus rise considerably in value. There is conse-

¹ Zunz, *Gottesdienstliche Vorträge*, 2nd ed., p. 336 a, enumerates eleven passages, some of them being parallel. Vid., however, also *Babli Sanhedrin*, 104 b.

² Similarly, *Numbers Rabba*, c. 14, § 1; less clear in *Jerushalmi Sanhedrin*, X, 2, 29 b.

³ Cf. Siegfried, *Philo*, p. 19; Freudenthal, *Hellenistische Studien*, I, 76. For other explanations of **דורשי רשותות**, vid. Zunz, l.c.; Weiss, note to *Mechilta*, p. 53 (בדרך משל ומיליצ'ה).

⁴ It is known that a sort of interpretation of Scripture occurs already in the books of the Chronicles and in Daniel.

quently no objection whatever to consider the Great Synod really as an assembly of scribes. When Schürer maintains (*l. c.*, ii. 150) that the supreme court of justice in Jerusalem was, up to the destruction, never composed of scribes, it is correct only in as far as the term scribe is thought to be in contrast to that of priest. If, however, the antagonism between priests and scribes be not exaggerated, it may very well be admitted that the Great Synod may have been composed of *priests who were scribes*. It is true that in the Greek sources the high priest always appears as the president of the Synedrion¹, but the high priest was in that case certainly also a scribe. Josephus declares plainly that it was the function of the high priest to watch over the Law and to give decisions in doubtful cases². The example of Simeon the Just, who was after all an historical person, proves sufficiently that, at a very early time, there were priests who were scribes, and a series of them may have commenced with Ezra. No wonder, therefore, that the Talmud already inferred from the above-mentioned interpretation of Scripture by the Allegorists, that the institution of the public recital of the Torah was older than Ezra³. The same saying of the Allegorists further shows that the Great Synod had also prophets among its members, as we have seen already. On this point also there exists a remarkable agreement between the Talmudic reports and Josephus. Josephus also says repeatedly, that prophets raised their voices in the court of justice⁴, and this is perhaps a standing formula, remind-

¹ Hoffmann, in the *Magazin für die Wissenschaft des Judenthums*, V (1878), p. 95.

² C. *Apion.*, II, 23, φυλάξει τοὺς νόμους, δικάσει περὶ τῶν ἀμφισβητουμένων, κολάσει ἐλεγχθέντας ἐπ' ἀδίκῳ (Schürer, *l. c.*, II, 156).

³ *Babli Baba Kama*, 82 a : שׁוֹרֵא תִּקְנָה וְאַמְשָׁקָה הַהֵּדָעָה מִתְּקָנָה דָּרְחַנִּיא . . . Therefore it is also said that the recital of the Torah was already ordained by Moses (*Sopherim*, X, 1). In *Jerush. Megilla*, I, 1 (70 b), the Purim-recital, ordained by Mordechai and Esther, is considered as an institution already established before Ezra.

⁴ Hoffmann, *l. c.*, observes that Josephus often spoke in the *Antiquities*

ing of the time when there really existed an authoritative body to which prophets also belonged. It is plain that this could only have been at an early period, and this again accords with our assumption of an early existence of the Great Synod. On the whole it is in the spirit of the Rabbinical literature to date the study of Scripture back to the earliest possible time; thus Halachic decisions are ascribed to Jeremiah's disciple, Baruch ben Nerijah¹, and to the prophet Haggai². These legends are based on the supposition that the study of the Scriptures must have flourished at a very remote period, for such legends do not arise without some historical background. We will not take any notice here of a later forgery, according to which a list of the vessels of the temple is, in the shape of the Mishnah, ascribed to the Levite Shimmur, the kings Hezekiah and Zedekiah, and the prophets Haggai and Zechariah³.

The history of Purim falls between the return from the Babylonian exile and Ezra⁴. That the Great Synod was then still in existence is proved by the tradition, according to which the book of Esther was written by the men of the Great Synod. Mordechai himself is counted among the members of the Great Synod. It is, therefore, an error

of prophets, in cases where nothing of it was mentioned in the Bible (e. g. *Ant.*, IV, 8, 14; vid. however, Deut. xvii. 9, conf. *Contra Apion.*, I, 6). Josephus says elsewhere that prophecy ceased to exist under Artaxerxes I (*Apion.*, I, 8). It is noteworthy that in the *Scholion to Megillah Taanith*, c. 5 (p. 10, ed. Neubauer), it is assumed as a matter of course that there were several prophets among those who returned from the exile (וְכִי חָנָנוּ עַמּוֹתָם הַנְבֵיאִים שְׁבִינָהֶם). Cf. also *Sirach*, xxiv, 33: διδασκαλίαν ὡς προφητείαν ἐγχεώ.

¹ *Seder Ha-Doroth*, p. 106, vid. the passages quoted there.

² *Babli Jebamoth*, 16a: מעד אני עלי שמיים הארץ זו ישב הדני הנביא ז' ואמור נז'. Cf. *Babli Kiddushin*, 43a. On the chronological possibility of this statement, vid. *Juchasin*, 10b, and *Seder Ha-Doroth*, 2nd part, p. 64; vid. also J. Levy in *Monatsschrift*, IV (1855), p. 355, note 6; on the expression מרכינה, vid. L. Brill, in *Monatsschrift*, XLI (1897), p. 75.

³ מסכת קלם, printed after אגדה בראשית, Warsaw, 1876.

⁴ Here is not the place to enter upon a discussion of the event of Purim.

to say that the tradition maintained of the Great Synod, that it endured for one generation only. The only reason that we do not hear *more* of its activity lies in the fact that we have no records about the whole period.

Numerous Talmudic passages show that the tradition considered Ezra also as a member of the Great Synod. It is impossible to say, as some later authorities did¹, that he was at the head of that body; it is more likely that he joined that body, which he found already established in Palestine, as a member, and it is possible that this assembly was rather put into the background by his brilliant personality; but it is certain that he did not dissolve it, because it would not have accorded with the objects he had in view, nor would he have had the power to do so. We read in his book that, on important occasions, he took counsel with the leaders of the people, and it is very probable that these leaders were the members of the Great Synod. The same can be said of Nehemiah; nay more, Nehemiah is directly identified with the Great Synod; the contents of the book of Nehemiah being frequently dealt with in Talmud and Midrash in such a manner as if they originated from the men of the Great Synod. Thus, e.g., Neh. ix. 7 is cited as a saying of the Great Synod².

The men of the Great Synod undoubtedly occupied themselves in the days of Ezra and Nehemiah also with administrative and political affairs; in fact, a portion of the work, a record of which is contained in the books of Ezra and Nehemiah, must certainly be ascribed to them. The later development of the Jewish people caused their activity in the interests of Holy Writ to be mentioned as

¹ *Seder Ha-Doroth*, p. 190 b. וְעוֹרָא דֵהֶה רַאשׁ עַל כָּלִם. It is, however, possible that this means that Ezra was the founder of the Great Synod; an error, already mentioned before.

² *Genesis Rabba*, c. 78, 3. Cf. *ibid.*, c. 6, 6; *Jerush. Berach.*, I, 9 (fol. 4 a); *Exod. Rabba*, c. 41, 1; *ibid.*, 51, 3; *Old Tanchuma נומח*, § 2, &c. Cf. Derenbourg, l. c., p. 38, note 3, who, however, only counts four passages.

their principal achievement, for such activity was at that time most highly appreciated. The tradition attributes a similar activity to the Sopherim, i.e. the scribes. It seems obvious that we must not look for a distinction, but for a similitude, between the men of the Great Assembly and the Sopherim; and on the basis of the tradition we venture to assert that these two groups of godfearing men are identical. It can be easily conceived that there were among the members of the Great Synod some individuals who deserved the designation of Sopherim, by a certain distinct direction their activity assumed¹. The same is the case with the term "Elders," which we found in *Mechilta to Exod. xv. 22*; this name also could, according to ancient usage, very suitably have been applied to the men of the Great Synod².

We are of opinion that a clinching proof exists of the identity of the terms "men of the Great Synod" and "Elders." We are told in the *Midrash* that Haman, when he wanted to learn by casting lots in which month he would be able to annihilate the Jews, did not decide for the month *Shebat* (February), because this month was protected against hostile devices by the merit of the Great Synod, which had averted the stain of the abominable deed at Gibeah and of the idol of Micah³. But everybody knows that the abominable deed of Gibeah and the idol of Micah belong to the times of the Judges—to a period, therefore, when according to the *Mishnah Aboth*, I, 1, the elders were at the head of Israel; the terms "men of the Great Synod" and "Elders," are consequently identical terms in the language of Rabbinical literature.

We add one more proof. In the *Mishnah Yadayim*,

¹ In the same way, we find among the Tanaites and Amorites several men, who occupied themselves pre-eminently with Holy Writ, and who had, accordingly, a special designation.

² Cf. *γεροντία*, 3 Macc. i. 8, by the side of *πρεσβύτεροι*.

³ *Megillath Taanith*, sub finem (ed. Neubauer), *Esther Rabba*, and *Abba Gorion* to III, 7; *Pirke di R. Eliezer*, c. 38.

IV, 3, elders and prophets are named together. The leading men after the prophets were the men of the Great Synod, the "elders" of that Mishnah cannot, therefore, be distinct from the men of the Great Synod¹.

If it be correct that the men of the Great Synod were cited also by other names, it becomes intelligible how the notabilities mentioned in Neh. x could have been identified by the Talmud with the men of the Great Synod. For the information that the Great Synod was composed of eighty-five members (*Jerushalmi Megilla*, 70 d) evidently flowed from this passage². In giving the number of the members of the Great Synod at one time as 120, and at another time as eighty-five, the tradition does not make two contradictory statements, but speaks of two different things. The larger figure refers to the time when the Synod was founded, at the time of Haggai and Zechariah; the smaller figure, on the other hand, refers to the time of Nehemiah. We cannot, of course, tell through which circumstances such decrease of numbers was occasioned, but such changes are everyday occurrences, and there is nothing unusual about them.

Once it is understood that the Sopherim stood in close connexion with the men of the Great Synod, another tradition becomes intelligible according to which the men of the Great Synod held twenty-four fast-days on account

¹ Cf. also *Jerushalmi Berachoth*, I, 7 (3 b) : חמורין רבי זקנים מרבני נביאים : Before this occurs for רבי זקנים סופרים רבי.

² Krochmal, l. c., p. 97; Graetz, l. c., p. 178. It is true the chapter contains only eighty-three names, the two missing ones were, as a rule, supplemented from the various readings of the Septuagint. But it is quite incorrect to say that the number eighty-five ought also to be supplemented by thirty-five prophets (Krochmal, l. c.), for the number eighty-five was meant to be distinct from the number 120. Ewald, l. c., IV, 190, justly repudiates the idea that the figure 120 had its origin from Dan. vi. 2. But no more is there any proof for Ewald's assumption of $72 + 48$ (namely, Sanhedrin + 48, so to give to each tribe a representation of ten). All these combinations are only imaginary. The tradition gives the figure 120 or 85 as matter-of-fact information, without any after-thoughts.

of the writers of the Torah¹. In former days writers of the Law and Sopherim were the same—the name also bearing that meaning; the fasts were therefore held by the Sopherim, who were at the same time men of the Great Synod, at the beginning of their great and holy work. The number twenty-four—the same as that of the books of the Canon—is quite characteristic.

IV.

We now turn to another phase in the activity of the Great Synod, namely, the Liturgy. The various forms of the Liturgy are ascribed by the tradition, *en bloc*, to the Great Synod². Although the statement does not tally to its whole extent with historical reality, that much is true, that, at least, the principal prayer, the *Sh'mone Esre*, originated from the men of the Great Synod³. It is remarkable that the earlier sages (חכמים הראשונים) are also mentioned as the authors of the *Tefilla*⁴. We meet here with a name, which becomes prevalent only in later times, in the best days of the Mishnah. What is to be inferred from this? In our opinion the inference is that the Great Synod existed and was still active at a time even which came very close to the period of the Mishnah. The teachers at the time of the Mishnah were called simply

¹ *Babli Pesachim*, 50 b; cf. *Derekh Eretz Rabba*, XI, 4. The words שאלמלה are, evidently, not a part of the narrative (hence a variation in the reading), and do not, moreover, state the real reason.

² *Babli Berach.*, 33 a. The introductory term מカリ shows, that it was considered to be generally known. The addition in *Juchasin*, p. 10 b, וכל מעשה טוב חקנות שורא, is remarkable. It is also characteristic that Rashi calls the same institutions, independently of the Talmud, חקנות שורא.

³ It is true, in a shorter form, as shown by Zunz and others.

⁴ *Jalkut*, Kings, § 192: ואך שמונה עשרה שתקנו חכמים הראשונים. In reference to this expression, cf. supra, on the term חקנו. In *Seder Olam Rabba* also, c. 30 (p. 65, ed. Neubauer), the prophets are followed by the sages: עד כן (היו) הנביאים מותגאים ... מינאן ואילך ... חכמים. As it is impossible that the Great Synod should have been passed over in silence, the inference is that חכמים mean the הנroleה נכסת.

חכמים הראשונים those of the Great Synod were called חכמים הראשונים. The same inference must be drawn from another designation. Many prayers are ascribed to the earlier pious men חסידים הראשונים¹. This term brings us to the time of the Maccabees, when it was the custom to call the faithful Jews, in distinction from the Hellenists, *Chassidim*². We find here traces of the activity of the Great Synod even in the Maccabean period. Consequently the Great Synod was not defunct, but went on acting in another form and under another name.

The excellent historian Jost has already pointed out that a name like כנסת הנודלה is very characteristic, and must, in view of its originality, be of a very early age indeed³. But times change, and the old venerable name is no longer suitable. As a change took place in the number of the members of the Great Synod, the name also changed, and perhaps for this very reason. It is possible that it was henceforth designated simply by the name of the "Elders." The Bible shows that the word זקנים was sacred to the Jews from the example of their forefathers. This is the reason that, for instance, the institutions referring to Chanukah were ascribed to the "Elders"⁴. It need hardly to be proved that the term "Elders" denotes a distinct assemblage; we will, however, mention that the "Elders" are several times cited in the Mishnah, and always under the formula "the seventy-two Elders," which can, of course, only denote a constant body of men⁵. There are several indications to show that this body of men existed already at the time of the Maccabees⁶. But we have also proved

¹ *Midrash Psalms*, XVII, 4, p. 77, ed. Buber; לפיך חקנו חסידים הראשונים; ibid. זקנים, ibid. זקנים.

² Derenbourg, l. c., p. 56.

³ *Gesch. des isr. Volkes*, I, 440.

⁴ Vid. *Revue des Études Juives*, XXX, 214, note 2. Also Sifré, *Numbers*, § 115, and *Babli Aboda Zara*, 36 b.

⁵ *Mishnah Yadayim*, III, 5; IV, 2; *Zebachim*, I, 2.

⁶ Often זקני בית שני וזקני בית הלל and בית דין של חזמונאים but one.

that the Great Synod was at work at that time; two supreme authoritative bodies cannot possibly have existed at the same time; the matter must, therefore, stand thus that *the Great Synod was turned into an assembly of elders*. This assembly numbered consequently at first 120 members, afterwards eighty-five, and at last only seventy-two. It is possible that at the time of the Greek translation of the Bible the supreme assembly was already reduced to seventy-two members¹.

There is only a short step from the assembly of "Elders," numbering seventy-two members, to that body which was called *Sanhedrin*. Nothing more was wanted to effect this change than a little Hellenizing; the Greek designation was substituted for the Jewish one. Such a change may occur unintentionally, and that is the reason why we have no record of the Great Synod being turned all at once into the Sanhedrin. This question also belongs to our problem, but we see that it is not difficult to answer.

If a proof were still wanted to show that the Sanhedrin sprang forth from the Great Synod, such would be offered by a passage in the Talmud; for there we read, "Thy Elders (Deut. xxi. 2) means the Sanhedrin²."

Having thus pointed out the connexion between the Great Synod, the Elders, and the Sanhedrin, we have still to mention that all these names occur also in the Greek sources. The *συναγωγὴ μεγάλη*, it is true, occurs only once (1 Macc. xiv. 28), but the *πρεσβύτεροι* and the *συνέδριον* occur all the more frequently. We understand now how at the time of the Maccabees it was still possible to speak of the Great Synod, for it is our opinion that this latter body did not become extinct; it only assumed another name,

¹ Vid. "Entstehung der Septuaginta," in Graetz, *Geschichte*, III, 3rd ed., note 2. A transition of the Great Synod into other formations was also mentioned by J. Levy in the article quoted above; only, he is of opinion that שִׁירֵי כְּנָתָה הַגּוֹלָה denotes a separate assembly. Others compare with that expression the words פְּלִיטָה סֻמְפָרִים in the daily prayer, and פְּלִיטָה סְפָרִיא in *Megillah Taanith*, c. 12.

² *Babli Sanhedrin*, 14 b: זְקִנָּן וּסְנָהָדוּן.

and, on solemn occasions, such as the election of Simeon as hereditary prince, it certainly adorned itself with the ancient and venerable name of "Synod."

It seems that in its new formation the priestly element was set aside more and more, and thus a certain hostile tendency against the priesthood became apparent. But an inquiry into this circumstance is beyond the scope of this article.

We have still to deal with that phase of the activity of the Great Synod, which it displayed in reference to the Oral Law. At a time when the Oral Law formed, so to say, a vital element in the life of the people, it is a matter of course that the best and leading men among them took the same direction; or rather, that the direction had been pointed out by them. The dictum that issued from the Great Synod, "Train many pupils," sufficiently proves that the Great Synod exercised a powerful influence upon the inauguration of the Talmudical methods.

This sounds quite natural when put in this general manner. But how is it to be understood if a sentence, which occurs in the Mishnah, originated from the Great Synod¹? Or when it is even said that the Great Synod inaugurated the Halacha and the Agada²? This has, in our opinion, a meaning only when we assume that the Great Synod still existed, under some form or other, at the time of the Tannaites. In that case the designation mentioned above, that the men of the Great Synod were "the former Chachamim" has also a meaning. The Great Synod was thus, little by little, turned into that body, from which the later scholars issued, i. e. into the bond of the *Chaberim* or doctors of the Talmud. It is known that the later Sanhedrin was composed of such doctors of the Talmud. The assembly of the Great Synod, numbering 120 members, was turned, in the first instance, into an assembly of eighty-five members, which afterwards, under the name

¹ *Babli Sanhedrin*, 104 b: cf. supra.

² *Jerush. Shekalim*, V, 1 (48 c): וַיֹּאמְרִים אָלֹו אֲנָשֵׁי כְּנַסֶּת הַגְּדוֹלָה:

of "Elders," had only seventy-two members. This produced the *Sanhedrin*, till all traces are lost in the great community of Talmudists¹.

So far from the traditions about the Great Synod confusing history, they serve, on the contrary, as so many lights in the dusk of grey antiquity, and show us clearly the course of history.

SAMUEL KRAUSS.

¹ The statement, that the men of the Great Synod were already engaged in the study of Halacha and Agada is no legend. The version of the Septuagint contains several Halachic elements, as proved by Frankel, *Vorstudien zur Septuaginta*. That they studied Agada is proved, *inter alia*, also by the existence of the rule, as already shown by us. Cf. also the Agadic rule *וְהַי אָנוּ אֶלָּא לִשְׁנָצֵר*, a rule described as a tradition from the Great Synod by R. Levi (or according to others, by R. Jonathan) in *Babli Megillah*, 10 b. Cf. *Midrash Psalms*, LXVIII, 10, *משׁוּם כִּי שׁעַלְהַמִּבְנֵל* (*Pesikta di R. Kahana*, p. 107 b, *מכה*). The sentence *הַמֹּרוֹשׁ עַל בִּורְנוּ מִן הַגּוֹלָה* has been dealt with by Zunz, p. 38; cf. *Pesikta Rabbathi*, c. 21, p. 103 b, ed. Friedmann: *בְּמִסּוֹרָה שָׁעַלְהַבְּרִים מִן הַגּוֹלָה*.